

REGULAR CITY COUNCIL MEETING
APRIL 22, 2002

PRESENT

Gayle Bunker
Wesley Bloomfield
Bruce Curtis
Robert Droubay
Margaret Dutson
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

Neil Forster

Public Works Director

ALSO PRESENT

Richard Waddingham
Judy Baker
Gregory Jay Schafer
Alan Riding
Kenneth Clark
Leonard Hardy
Dent Kirkland
Ryan Walker
Ron & Georgia Hare
Keith Griffiths
Mike Styler

City Attorney
City Treasurer
City Recorder
Asst. Public Works Director
Public Works Dept. Employee
Public Works Dept. Employee
Public Works Dept. Employee
Commercial Business Radio
Representing University of Utah
Millard School District
Delta Middle School Instructor

The following students and parents were also in attendance:

Zac Gray
Jono Ashby
Caleb Patton
Tyler Williams
Tim Loveless
Brock Thompson
Corley Ward
Clark Steadman
Karin Edwards
Angela Ward
Brian Piacitelli

Evaristo Valarde
Drex Dutson
Kody Smith
Colton Stephensen
Landon Dutson
Casey Smith
Isak Nickerson
Eddie Darmto
Darin Dutson
Lance Isley
Zach Goulding

Shad Oppenheimer
Zach Oppenheimer
Taylor Nelson
James Nelson
Kyler Hill
Bryant Taylor
Cade Archibald
Kody Callister
Steve Dutson
Joan Dutson
Pam Piacitelli

Jessica Lyman
Dustin Manis
Clifford King
Jared Shepherd
Andrew Lyman
Dan Bryner
Kathy Rowley
Anthony Reeder
Tyson Weeda
Mike Bettis, Sr
Trumaine Boxton
Andrea Fullmer
Jennifer Henke
Mike Bettis

Kris Kearsley
Kyle Gray
Cayson Staples
Clark Jones
Josh Springer
Karson Rowley
Stewart Rowley
Kyle Weeda
Jackie & Jenna Nielson
Chase Knudsen
Corina Fullmer
Richard Bishop
Robyn Woodbury
Jordan Branson

Russell Nielson
Drey Oppenheimer
Brayden Brunson
Landon Bryner
Ryan Springer
Kelly Souter
Landon Young
Pam Warren
Bill Ashby
Cesar Arvizo
Tazz Riding
Stephanie Davis
Travis Pehrson

There were other individuals in attendance whose names were unreadable.

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place, and agenda had been posted at the City Building and had been provided to the Millard County Chronicle/Progress, to KNAK Radio and to each member of the City Council, at least two days prior to the meeting.

Council Member Glen Swalberg offered an invocation after which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held April 8, 2002 were presented for consideration and approval. Following discussion, Council Member Robert Droubay MOVED to approve the minutes of the Public Hearing held April 8, 2002, as presented. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held April 8, 2002 were presented for consideration and approval. Council Member Robert Droubay requested that the year, 2002, be inserted on Page 8 where reference is made to May 3rd, 4th, and 5th. Following discussion, Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held April 8, 2002, as amended. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Wesley Bloomfield MOVED to approve the accounts payable, dated April 22, 2002, in the amount of \$104,105.14. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESSBRYANT ANDERSON, COMMERCIAL BUSINESS RADIO: PROPOSED RENTAL OF AIRPORT BUILDING BY WEST MILLARD MOSQUITO ABATEMENT DISTRICT

Ryan Walker, Commercial Business Radio, stated that he was representing Mr. Anderson at this meeting. Mayor Bunker advised the Council that Public Works Director Forster felt that, if Delta City is going to maintain the building, the rental rate should be \$200 per month. Following discussion, Council Member Glen Swalberg MOVED to approve rental of the said airport building to Commercial Business Radio for use as a repeater station for West Millard Mosquito Abatement District and Commercial Business Radio at a fee of \$200 per month, and that the rental agreement be reviewed each year prior to renewal. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CITY ATTORNEY RICHARD WADDINGHAM: RESOLUTION SETTING WATER RENTAL RATE AND DITCH TAX RATE FOR 2002 IRRIGATION SEASON

City Attorney Richard Waddingham distributed copies of the following resolution:

RESOLUTION NO. 02-277A RESOLUTION OF THE CITY OF DELTA, UTAH ESTABLISHING SERVICE CHARGES FOR DITCH TAX USER FEES AND IRRIGATION WATER RENTAL FEES.

Council Member Glen Swalberg MOVED to approve Resolution No. 02-277, a resolution of the City of Delta, Utah establishing service charges for ditch tax user fees and irrigation water rental fees at \$30 for ditch tax user fee and \$35 per acre foot for water rental fee. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield

Yes

Bruce Curtis	Yes
Robert Droubay	Yes
Margaret Dutson	Yes
Glen Swalberg	Yes

The motion passed unanimously.

NEW BUSINESS

GEORGIA HARE, REPRESENTING UNIVERSITY OF UTAH: REQUEST FOR SCHOLARSHIP FUNDS FOR ASSISTANCE AT UNIVERSITY OF UTAH SUMMER SCHOOL ON ALCOHOL AND OTHER DRUG DEPENDENCIES

Mrs. Georgia Hare advised the Council that she is representing the University of Utah in requesting matching scholarship funds to send two individuals to the University of Utah School on Alcohol and Other Drug Dependencies, as has been requested in the past. The cost per individual to attend the school is \$408, which would cover tuition and housing. If Delta City would provide scholarship funds of \$204 per person, the University of Utah would provide matching scholarship funds. Council Member Glen Swalberg MOVED to allocate \$408 for sponsorship of two individuals to attend the University of Utah Summer School on Alcohol and Other Drug Dependencies. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MIKE STYLER, DELTA MIDDLE SCHOOL INSTRUCTOR: SKATE PARK

Mr. Mike Styler approached the Council and stated that he is acting as an advocate for an informational type project. He stated that he has had a number of students approach him suggesting that the Delta area needs to have a skate park, as is evidenced by the number of students who have come to the meeting to support the idea.

Mr. Styler reported that Millard County has done some research on construction of a skate park, but a site needs to be selected. Mr. Styler suggested an area near the Millard County ball fields, but requested input from the Council on other possible sites and requested that a member of the City Council be appointed to a site selection committee, along with a representative from Millard County and Millard School District. He also reported that he had approached the State of Utah regarding possible funding for a skate park and found that there are federal pass through funds available for construction of a skate park, however, local funding would also be required. Mr. Styler estimated the cost of constructing a skate park to be approximately \$100,000.

Council Member Wesley Bloomfield reported that he had talked with an individual who had been appointed to research the skate park in Springville City. Council Member Bloomfield stated that this

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individual had referred to Skate Park International as being the best group to assist in constructing a skate park at the best price available. The Springville park is posted with signs stating that use of the skate park is at the users risk and the City claims no liability for use of the park.

Several individuals from the audience reported on experiences using skate parks in other areas of Utah and ideas for funding. City Attorney Richard Waddingham addressed the issue of liability.

Mayor Bunker thanked all those who had come to Council Meeting in support of this item. Council Member Robert Droubay MOVED to appoint Council Member Wesley Bloomfield to a site selection committee to study the feasibility, location and funding of a skate park in Delta City. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously, with Council Member Wesley Bloomfield abstaining.

KENNETH CLARK, PUBLIC WORKS EMPLOYEE: REPORT ON MANAGING DISASTERS AND EMERGENCIES WORKSHOP

Mayor Bunker noted that Mr. Ken Clark had agreed to attend a weekend seminar on Managing Disasters and Emergencies which was held in Bryce, Utah.

Mr. Clark reported that the workshop, which was sponsored by the Utah Department of Public Safety, began at 6:00 p.m. on Friday evening. He advised the Council that federal and state governments have required that all municipalities and counties have an emergency management plan and the focus of the workshop was how to implement and write a plan. Most of the discussion covered the various agencies available to assist and support cities and counties in implementing the emergency management plan.

Mr. Clark reported that Millard County had begun writing an emergency management plan approximately six years ago but the project was dropped due to lack of interest. Since the events in New York City on September 11, 2001, emergency management has become a high priority for all areas. Mr. Clark was told that having an emergency management plan in place will be a factor in determining eligibility for any grants for which the City may apply.

The plan should deal with any type of emergency situation including earthquake, chemical spill, terrorist attack, flooding, etc. The plan should state who is in charge in the event of emergency, what types of emergencies could happen, resources which may be available and what additional resources may be needed. Mr. Clark told the Council that Delta City needs to have an emergency management plan in place. He also stated that Millard County will begin holding Local Emergency Preparedness meetings beginning this summer. The meetings will involve local officials, school district officials, business men and women and various other groups who would have an interest in emergency preparedness.

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Council Member Wesley Bloomfield MOVED to appoint Ken Clark, Council Member Margaret Dutson, and Fire Chief Rodger Scoville, to work on writing and implementing an emergency management plan. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: DISTRIBUTION OF OLYMPIC FLAGS

Mayor Bunker reported that, of the twenty Olympic flags purchased, there are sixteen remaining, and a list of 24 individuals who have requested the opportunity to purchase one of the used flags. The Council determined that the flags should be distributed by random draw and sold for \$20 to those whose names are drawn. Council Member Wesley Bloomfield MOVED to put the names of all individuals who have requested Olympic flags into a drawing and draw out sixteen names, who will be offered the opportunity to purchase the flags at \$20 each. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. It was suggested that the sixteen individuals whose names are drawn be contacted and, in the event they no longer wish to purchase a flag, another name will be drawn. Mayor Bunker asked if there were any other comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: DELTA CITY FLAG

Mayor Bunker reminded the Council that there had previously been discussion regarding a Delta City flag and the Council reviewed proposed flag designs which had been submitted by Delta High School students. Mayor Bunker talked with a representative of Colonial Flag and with City employees, all of which felt that the drawings submitted by the school children had too much design to make a suitable flag. It was suggested by the representative of Colonial Flag and various City employees that the Delta City logo be used.

Mayor Bunker told the Council that the estimated cost of 3' x 5' flags would be \$127.50 for the set up, plus, 12-24 silk screen flags would be \$71.10 each. The cost of 20 flags would be approximately \$1,400. The cost for 4' x 6' appliqué flags, which would be used on the flag pole in the City Park and in front of the City Building, would be approximately \$225 per flag.

Council Member Wesley Bloomfield MOVED to approve purchase of twenty-four 3' x 5' silk screen Delta City flags and three 4' x 6' appliqué Delta City flags. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. Upon further discussion, Council Member Wesley Bloomfield's motion was withdrawn. Council Member Robert Droubay MOVED to table further discussion of this item until the next meeting of the City Council in order to decide on a background color for the flags. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any further comments or questions regarding the motion. There being none, he called for a vote. The motion

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passed unanimously.

MAYOR GAYLE BUNKER: AMENDMENT TO DELTA CITY FINAL BUDGET FOR FISCAL YEAR 2001-2002

Mayor Bunker advised the Council that a public hearing needs to be set for the purpose of receiving public comment regarding a proposed amendment to the Delta City Final Budget for Fiscal Year 2001-2002. Council Member Glen Swalberg MOVED to set a public hearing on Monday, May 13, 2002 at 6:45 p.m. for the purpose of receiving public comment regarding a proposed amendment to the Delta City Final Budget for Fiscal Year 2001-2002. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Mayor Bunker reported that City Recorder Gregory Jay Schafer had received a recognition plaque from the Utah Municipal Records Association for his work on the UMCA web page. The plaque was displayed for the Council.

Mayor Bunker advised the Council that Delta City has received a request to advertise a National Day of Prayer, scheduled for May 2, 2002, on the marquee. Mayor Bunker asked the Council for their input on whether or not this item should be included on the marquee. Council Members felt that the announcement should be limited to advertising the National Day of Prayer and the date it is being observed.

Council Member Margaret Dutson advised the Council that the theme which has been selected for the Fourth of July celebration is "Stand Proud America." Mayor Bunker reminded the Council that they need to select a Grand Marshall for the Fourth of July celebration and suggested that Council Members be thinking about individuals who could be appointed Grand Marshall.

Mayor Bunker reported that he had received a letter regarding water conservation from the Governor's office requesting that cities pass an ordinance restricting yard watering between 10:00 a.m. and 6:00 p.m. He suggested that the Council needs to discuss what efforts can be made to encourage water conservation.

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Mayor Bunker advised the Council that he had been contacted by Dale Bond, who would like to purchase the alley way intersecting his property located at 400 South and 100 West. However, he feels that the price set by the Council; i.e., \$1,600, was too high. Mayor Bunker asked the Council if they would consider lowering the price. It was the feeling of the Council that, if they could not get \$1,600 for the property, they would retain ownership.

Mayor Bunker asked if Council Members had seen the "Welcome to Provo" signs which have been erected in Provo. Mayor Bunker felt that Delta City is in need of new signs at the outskirts of town and requested that Council Members take notice of the signs in Provo and discuss the possibility of erecting similar signs in Delta.

Council Member Wesley Bloomfield reported that he and City Recorder Gregory Jay Schafer had met with Dirt Busters, the current janitorial service contractor. In discussing the problems in the janitorial service, it was determined that part of the problem is that Delta City has not been keeping the requested cleaning supplies in stock, making it difficult for Dirt Busters to do all of the necessary cleaning. Mayor Bunker stated that Delta City will make certain that supplies are ordered in a timely manner in the future.

Council Member Robert Droubay reported that the Board of Adjustment had met and had elected Dennis Stefanoff as Chairman of the Board of Adjustment for the coming year. In addition, the Board of Adjustment training presented by City Attorney Richard Waddingham was very good.

Council Member Margaret Dutson asked if any criteria had been established for donations of funds which are requested from the Council so that individuals will be aware of the criteria set forth and the reason why donations are approved or denied. City Attorney Richard Waddingham stated that the criteria for donations has been set forth by the Supreme Court, stating that monies should not be donated unless the current fair market value is received in return.

MAYOR GAYLE BUNKER: DISCUSSION OF PUBLIC WORKS EMPLOYEES FOR POSSIBLE
ADVANCEMENT TO POSITION OF PUBLIC WORKS DIRECTOR

Mayor Bunker recommended that the Council adjourn to Executive Session for discussion of this

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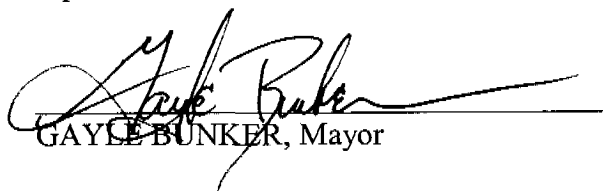
item. Council Member Glen Swalberg MOVED to adjourn to Executive Session to discuss public works employees for possible advancement to position of Public Works Director. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

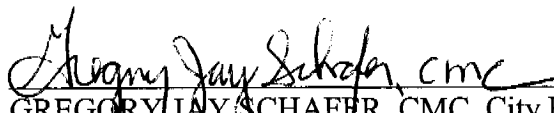
Following conclusion of the Executive Session, Council Member Wesley Bloomfield MOVED to adjourn to Regular City Council Meeting. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Following Executive Session, Mayor Bunker recommended that Alan Riding be appointed Public Works Director, effective August 30, 2002 and that Ken Clark be appointed Assistant Public Works Director effective August 30, 2002. Council Member Wesley Bloomfield MOVED to appoint Alan Riding to the position of Public Works Director and Ken Clark to the position of Assistant Public Works Director, with both appointments being effective August 30, 2002. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Robert Droubay MOVED to adjourn the meeting. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 9:00 p.m


GAYLE BUNKER, Mayor


GREGORY JAY SCHAFFER, CMC, City Recorder

MINUTES APPROVED: RCCM 05-13-02



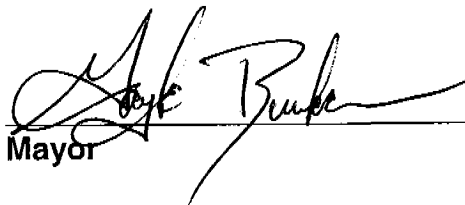
EXECUTIVE SESSION
Sworn Statement
(Required by 52-4-7.5, UCA 1953)

I, Gayle Bunker, swear, as the person presiding at this executive session, that the sole purpose for closing the session was to discuss the following:

- ☒ The character, professional competence, or physical or mental health of an individual; or
- ☐ The deployment of security personnel, devices or systems.

Sworn to and executed this 22nd day of April, 2002.

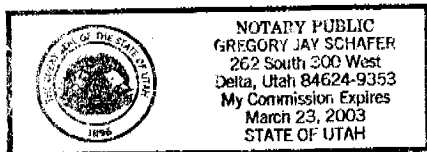
CITY OF DELTA, by

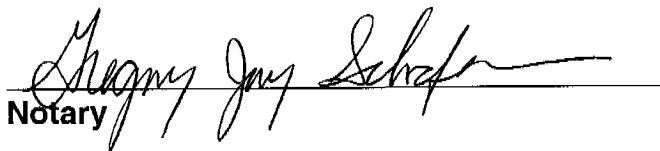

Mayor

STATE OF UTAH)
COUNTY OF MILLARD }
CITY OF DELTA) §



Subscribed and Sworn to this 22nd day of April, 2002, by Gayle Bunker.




Notary

My Commission Expires: MARCH 23, 2002

Residing at: 262 S. 300 W., DELTA, UT 84624 9353